

### **Amendments to the Specification**

The following paragraph numbers refer to the published patent application Publication US 2007/0272765.

Please replace paragraph [0004] with the following amended paragraph:

[0004] According to the invention this objective is reached by providing an aerosol can 40 comprising a body 38 containing a propellant as well as an aerosol product 39, a valve whose actuation enables said aerosol product to be sprayed, and a spray head which serves to discharge the aerosol product to the environment when the valve is actuated, said spray head having an axial borehole through which the aerosol product enters the spray head, and being provided with an additional adjustment device for the discharge rate to be regulated.

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (canceled)
2. (withdrawn) An aerosol can according to claim 1, characterized in that the adjustment device for the regulation of the discharge rate is an adjustable needle valve (5) with the tapered end (7) of the needle valve (5) terminating in a gap (8) located between axial bore (3) and outlet (9) of spray head (1), the outlet (9) being connected with the axial bore (3) via gap (8) and the tapered end (7) closes off gap (8) to a varying degree depending on the depth of penetration.
3. (withdrawn) An aerosol can according to claim 2, characterized in that the gap (8) is situated at the inside of outlet (9) of spray head (1) and the needle valve (5) is positioned transversely to axial bore (3).
4. (withdrawn) An aerosol can according to claim 2, characterized in that the gap (8) is located at the top end of the axial bore (3) and the needle valve (5) being positioned along the axis of axial bore (3).
5. (withdrawn) An aerosol can according to claim 2 characterized in that the needle valve (5) can be adjusted from the outside via a thread.
6. (withdrawn) An aerosol can according to claim 1, characterized in that the spray head (1) is equipped with a tubular element (11) with openings on both ends, said element being provided with the outlet (9) of the spray head (1) on one end and movably arranged in a recess (12) provided for this purpose in the spray head (1) such that a stationary tapered element (14) located in the axial bore (3) adjustably engages with the inner opening of said tubular element (11) and regulates the passage available to the aerosol product to be sprayed.

7. (withdrawn) An aerosol can according to claim 6, characterized in that the tubular element (11) has a male thread (13) and can be screwed into the relevant female thread arranged in the recess (12) provided for this purpose in spray head (1).

8. (canceled)

9. (withdrawn) An aerosol can according to claim 1, characterized in that in the spray head (1) a lateral bore (15) is arranged transversely to and being connected with the axial bore (3), said lateral bore being closed off on one end and accommodating a movably inserted tubular element (20) open on both ends and having the outlet (9) of the spray head (1) located on one end, and with said tubular element (20) in inserted state being positioned over the axial bore (3) and, on its end covering the axial bore (3), provided with a bevel or rounding (22) that reduces the cross-sectional area of the tubular element (20) in the direction of the closed end of the lateral bore (15), with the axial bore (3) being provided with a projection (30) at the side of and extending into the closed-off end of the lateral bore (15), said projection being adjacent to the bevel or rounding (22) of the tubular element (20) so that depending on how far the tubular element (20) is inserted into the lateral bore (15) a flow passage (23) of variable size is created between the bevel or rounding (22) and the projection (30) with said passage forming a connection between the axial bore (3) and the inner opening of the tubular element (20).

10. (withdrawn) An aerosol can according to claim 9, characterized in that the tubular element (20) can be slidably inserted into the lateral bore (15).

11. (withdrawn) An aerosol can according to claim 9, characterized in that the tubular element (20) can be inserted into the lateral bore (15) via a threaded joint.

12. (withdrawn) An aerosol can according to claim 8, characterized in that spray head (1) is provided with a rotatable or slidable element (25) having one or several openings (26, 27) which can be moved in front of or into outlet (9).

13. (withdrawn) An aerosol can according to claim 12, characterized in that the rotatable or slidable element (25) has several openings (26, 27) of different cross section.

14. (withdrawn) An aerosol can according to claim 12, characterized in that one or several openings (26, 27) are shaped in the form of circular and/or fan-type nozzles.

15. (withdrawn) An aerosol can according to claim 12 characterized in that the rotatable or slidable element (25) has one or several openings (26, 27) whose cross section varies depending on its position in front of or in the outlet (9).

16. (withdrawn) A spray head according to claim 1, characterized in that an elastic element (34) is in contact with axial bore (3) with the cross section of said elastic element (34) reducing when force is exerted on the elastic element (34) along the axial bore (3) and increasing transversely to the axial bore (3) such that said elastic element (34) moving at least partially into the cross section of axial bore (3) causing said cross section to become constricted.

17. (withdrawn) A spray head according claim 16, characterized in that an elastic element (34) is in contact with axial bore (3) with the cross section of said elastic element (34) reducing when force is exerted on the elastic element (34) along the axial bore (3) and increasing transversely to the axial bore (3) such that said elastic element (34) moving at least partially into the cross section of axial bore (3) causing said cross section to become constricted.

18. (withdrawn) A spray head according to claim 17, characterized in that the elastic element (34) extends circularly around axial bore (3).

19. (withdrawn) A spray head according to claim 17, characterized in that the spray head (1) consists of a top part (31) and a bottom part (32) with the elastic element (34) being fitted in a clearance between top part (31) and bottom part (32) and the force acting on said elastic element (34) thus constricting axial bore (3) is exerted by moving top part (31) and bottom part (32) towards each other.

20. (withdrawn) A spray head according to claim 19, characterized in that the top part (31) and bottom part (32) of spray head (1) are joined by means of a thread and the distance between top part (31) and bottom part (32) is adjustable by performing a rotating movement counter to each other.

21. (canceled)

22. (currently amended) A spray head usable as a component of an aerosol can, wherein the spray head (1) serves to deliver a material to be sprayed into the surroundings, the spray head (1) has an axial bore (3), through which the material to be sprayed is conducted into the spray head (1), the spray head (1) has an adjustment device to regulate the delivery rate, and situated in the spray head (1) transverse to the axial bore (3) there is a lateral bore (15) in communication with it, the lateral bore comprising two ends with an outlet at one end, and

wherein engaging in the lateral bore (15) from the other end of the lateral bore (15) there is the adjustment device comprising a rotatable, cylindrical element (16) which slightly overlaps with the axial bore (3) and has a ~~bevel or rounded~~ non-symmetrical cone-shaped portion (17) on at least one side, which, when the ~~bevel or rounded~~ non-symmetrical cone-shaped portion (17) is moved over the axial bore (3) by rotation of the cylindrical element (16), opens a flow opening (18) from the axial bore (3) into the lateral bore (15).

23. (withdrawn) A spray head according to Claim 22, wherein the spray head (1) has a rotatable or slidable element (25) with one or more openings (26, 26), which are movable in front of or into the outlet (9).

24. (withdrawn) A spray head according to Claim 23, wherein the rotatable or slidable element (25) has a plurality of openings (26, 27) of different area.

25. (withdrawn) A spray head according to Claim 23, wherein the one or more openings (26, 27) are constructed in the form of round and/or fan-shaped nozzles.

26. (withdrawn) A spray head as claimed in Claim 23, wherein the area of the one or more openings (26, 27) varies depending on their position in front or in the outlet (9).

27. (currently amended) An aerosol can including a nozzle the can comprising a propellant and a material to be sprayed, a valve, through which, when actuated, the material to be sprayed is

~~propelled, and a spray head (1) according to claim 22, which serves to deliver the material to be sprayed into the surroundings by actuation of the valve.~~

28. (currently amended) An aerosol can according to Claim 27, wherein the aerosol can comprises a material to be sprayed is selected from the group consisting of a paint, a painting preparation agent or and some other colourant.

29. (currently amended) An aerosol ~~can comprising a body containing a propellant and which~~ comprises an aerosol product to be sprayed, ~~a valve whose actuation enables said aerosol product to be sprayed,~~ and a spray head (1) which serves to discharge the aerosol product to the environment ~~when the valve is actuated~~, said spray head (1) being provided with an axial borehole (3) through which the aerosol product enters the spray head (1), characterized in that the spray head (1) is provided with an adjustment device for the regulation of the discharge rate, and

further characterized by the arrangement of a lateral bore (15) in the spray head (1) located transversely to and being connected with the axial bore (3), said lateral bore (15) comprising two ends and having an outlet on one end, and accommodating the adjustment device which comprises a rotatable cylindrical element (16) inserted from the other end of the lateral bore (15), said element ~~slightly overlapping the axial bore (3) and being provided at least on one side with a~~ non-symmetrical cone-shaped portion (17) which enables a flow passage (18) extending from the axial bore (3) to the lateral bore (15) to be cleared if said non-symmetrical cone-shaped portion (17) is positioned over the axial bore (3) by suitably turning the cylindrical element (16).